

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PETER A. HOCHSTEIN, et al,

Plaintiffs,

CASE NO. 04-CV-73071

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

MICROSOFT CORPORATION, et al.,

Defendants.

ORDER REGARDING TRIAL TIME LIMITS

Having considered the appropriate lengths of time for the parties to present their respective cases, the Court **ORDERS** the following:

- (1) The trial will be bifurcated into a liability phase and a damages phase. If the jury finds that Defendant is liable on Plaintiff's claim(s), the same jury will consider the appropriate amount of damages in a separate damages proceeding.
- (2) Opening statements will be limited to forty (40) minutes per side.
- (3) In the liability phase of the case – the issues of infringement (Plaintiff) and invalidity (Defendant) – each party will be limited to a total of twenty (20) hours. This includes its case-in-chief, its defense to the adversary's claim, and its rebuttal. Specifically stated, each party will have a total of twenty hours, totally encompassing its claim, and its defense to its adversary's claim.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: July 28, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 28, 2008.

s/Denise Goodine

Case Manager